

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRMA RAMIREZ, et al.

Plaintiffs,

v.

LUTHER BURBANK MEMORIAL
FOUNDATION,

Defendant.

Case No. [13-cv-01658-MEJ](#) (ADR)

**ORDER RE: ATTENDANCE AT
MEDIATION**

Date: May 7, 2015

Mediator: Joel Franciosa

IT IS HEREBY ORDERED that the request to excuse defendant Luther Burbank Memorial Foundation dba Wells Fargo Center for the Arts' insurer representative, Lesley Lai, from appearing in person at the May 7, 2015, mediation before Joel Franciosa is DENIED.

ADR L.R. 6-10(d) clearly sets forth the procedure for submitting requests to be excused from appearing in person at a mediation session and the information that must be included in such requests. Defendant's request failed to comply with the rule in the following ways:

1. Defendant's request makes no clear demonstration of 'extraordinary or otherwise unjustifiable hardship' beyond mentioning 'work-related conflicts.'
2. The request was not submitted 14 days in advance of the mediation session.
3. The request does not state realistically the amount in controversy in the case.
4. The request does not indicate whether the other parties, including the mediator, join in or object to the request.

1 5. The request was filed rather than being submitted to the ADR Magistrate Judge.
2 Accordingly, the request to excuse Ms. Lai from appearing in person at the May 7, 2015,
3 mediation is DENIED.

4 **IT IS SO ORDERED.**

5 Dated: May 4, 2015

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8 Joseph C. Spero
9 United States Chief Magistrate Judge

United States District Court
Northern District of California